

Exhibit D

From: Gangnes, Larry
Sent: Wednesday, March 25, 2015 4:16 PM
To: 'Vicky Romanenko'
Cc: Cherry, Steven (Steven.Cherry@wilmerhale.com); Donovan, David P (David.Donovan@wilmerhale.com); Patrick.Carome@wilmerhale.com; Evelyn Li; donbarrettpta@gmail.com; Brian K. Herrington (BHerrington@barrettlawgroup.com); Raiter, Shawn; Jon Cuneo; Hawkes, Peter; Davis, Kenneth R.
Subject: RE: DMS Production

Vicky,

Defendants see little, if anything, in ADPs' proposed Order that overlaps or is consistent with the terms of Defendants' proposed Scheduling Order. Moreover, among other things, Defendants do not yet know from ADPs (despite our requests) or your proposed Order (i) what data ADPs are offering to produce and for what time period(s), (ii) what data/information is contained in the fields listed in the Attachment to ADPs' proposed Order, (iii) what other data ADPs have or have access to and for what time period(s), or (iv) what data or data fields ADPs object to producing apart from the objections that are the subject of Defendants' pending motion to compel. ADPs' proposed bar against Defendants seeking ADPs' data from others or filing additional motions to compel is also unacceptable.

Nevertheless, if ADPs feel it would be useful to discuss the terms of Defendants' proposed Order or are willing to provide any meaningful information on any of the subjects mentioned above, please let us know.

Regards.

Larry Gangnes | Lane Powell PC
Shareholder | [Bio](#) | [vCard](#)
1420 Fifth Avenue, Suite 4200
P.O. Box 91302 | Seattle, WA 98111-9402
Direct: 206.223.7036 | Mobile: 206.779.6745
GangnesL@LanePowell.com | www.lanepowell.com

From: Vicky Romanenko [<mailto:Vicky@cuneolaw.com>]
Sent: Monday, March 23, 2015 8:00 PM
To: Gangnes, Larry
Cc: Cherry, Steven (Steven.Cherry@wilmerhale.com); Donovan, David P (David.Donovan@wilmerhale.com); Patrick.Carome@wilmerhale.com; Evelyn Li; donbarrettpta@gmail.com; Brian K. Herrington (BHerrington@barrettlawgroup.com); Raiter, Shawn; Jon Cuneo; Hawkes, Peter; Davis, Kenneth R.
Subject: RE: DMS Production

Larry,

If you believe after having reviewed our draft order that Dealership Plaintiffs and Defendants can make progress in their negotiations or if you would like more time to review our draft order, please let us know.

From: Gangnes, Larry [<mailto:GangnesL@LanePowell.com>]
Sent: Monday, March 23, 2015 9:01 PM
To: Vicky Romanenko
Cc: Cherry, Steven (Steven.Cherry@wilmerhale.com); Donovan, David P (David.Donovan@wilmerhale.com); Patrick.Carome@wilmerhale.com; Evelyn Li; donbarrettpa@gmail.com; Brian K. Herrington (BHerrington@barrettllawgroup.com); Raiter, Shawn; Jon Cuneo; Hawkes, Peter; Davis, Kenneth R.
Subject: RE: DMS Production

Vicky,

Defendants read your email below as advising that in ADP's view, it would not be productive for ADPs to meet/confer with Defendants regarding (i) Defendants' proposed Stipulation and Order Regarding Auto Dealer Plaintiffs' Production of ESI Concerning Purchases and /Sales of Vehicles (attached, which I forwarded to you in my March 16 email), or (ii) ADPs' proposed Stipulation and Order Resolving Defendants' Discovery Requests and Modifying Stipulation and Order on Certain Defendants' Motion to Compel "Downstream" Discovery from Auto Dealer Plaintiffs, which you just sent us today (also attached).

Accordingly, Defendants will be filing a motion asking the Master to enter Defendants' proposed Stipulation and Order.

Defendants will be responding to the numerous misstatements in your emails below in our opposition to the motion you indicate ADPs will be filing.

Regards.

Larry Gangnes | Lane Powell PC
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From: Vicky Romanenko [<mailto:Vicky@cuneolaw.com>]
Sent: Monday, March 23, 2015 2:05 PM
To: Gangnes, Larry
Cc: Cherry, Steven (Steven.Cherry@wilmerhale.com); Donovan, David P (David.Donovan@wilmerhale.com); Patrick.Carome@wilmerhale.com; Evelyn Li; donbarrettpa@gmail.com; Brian K. Herrington (BHerrington@barrettllawgroup.com); Raiter, Shawn; Jon

Cuneo; Hawkes, Peter; Davis, Kenneth R.

Subject: RE: DMS Production

Larry,

We have sought to confer with Defendants by explaining the production we are able to deliver to Defendants and the schedule on which we are able to deliver it. Your proposal disregards this, and seeks a production and schedule we will never be able to accomplish, in addition to putting significant burdens on Dealership Plaintiffs. We asked Defendants in our previous email to advise us as to whether Defendants would be willing to compromise with us and have received communications indicating that Defendants are not willing to compromise. We have also sought to have a discussion with Defendants about resolving Defendants' Motion to Compel Production of Downstream Discovery given that such resolution must be part of any order under which Dealership Plaintiffs undertake and schedule further discovery. Defendants, although they have resolved these requests with End-Payors and Direct Purchasers, are unwilling to even discuss resolving them with Dealership Plaintiffs. We will therefore plan to file a motion to resolve those requests tomorrow. We will attach to our motion the attached order, concerning resolution of Defendants' requests and scheduling of Dealership Plaintiffs' DMS production. If you believe that further discussion would be helpful and that the parties can work through these issues please let us know and if so, we can continue to confer.